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OFFICE OF PETITIONS

In re Application of Muhlestein	:	
Application No. 09/728,701	:	Decision on Petition
Filing Date: December 1, 2000	:	
Attorney Docket No. 103.1056.01	:	

This is a decision on the petition under 37 CFR 1.137(b), filed August 18, 2005, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to file a proper reply to the final Office action mailed January 7, 2005. A three month extension of time was obtained and an amendment was filed on July 14, 2005 (Certificate of Mailing date of July 7, 2005). The amendment did not prima facie place the application in condition for allowance. Accordingly, this application became abandoned at midnight on July 7, 2005.

The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

The payment for a three month extension of time submitted with the petition is unnecessary and will be refunded to petitioner's credit card.

Technology Center Art Unit 2131 will be informed the application has been revived so that the examiner can consider the Request for Continued Examination and other papers in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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